

REMARKS

This Amendment and Response is filed in reply to the Office action dated February 5, 2007. Claims 1, 9, 18, 26, 35, 43 and 52 are amended and claims 3, 11-12, 20, 28-29, 37, 45-46 and 54 were previously canceled. Accordingly, after entry of this Amendment and Response, claims 1-2, 4-10, 13-19, 21-27, 30-36, 38-44, 47-53 and 55-59 remain pending.

I. Claim Rejections Under 35 U.S.C. § 103

Claims 1-3, 5-10, 13-20, 22-27, 31-37, 39-44, 48-54 and 56-59 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,678,867 to Fong et al. (hereinafter "Fong") in view of U.S. Patent Publication No. 2004/0162841 to Bernstein et al. (hereinafter "Bernstein"). The Applicant respectfully traverses this rejection for at least the following reasons.

A proper prima facie obviousness rejection requires 1) a suggestion or motivation to modify the prior art reference or combine the reference teachings; 2) a reasonable expectation of success; and 3) that the combined references teach or suggest all of the claim limitations. See MPEP § 2143. It is respectfully submitted that the cited references do not teach or suggest all of the claim limitations of the present invention.

In the prior Office action dated June 14, 2006, dependent claims 12, 29 and 46 were deemed allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims (see *Office action* dated June 14, 2006, page 8). In our Response and Amendment dated November 13, 2006, these dependent claims were incorporated into independent claims 9, 26 and 43 from which they depend. Further, independent claims 1, 18, 35 and 52 were amended to include similar limitations. Note that the independent claims 1, 9, 18, 26, 35, 43 and 52 are amended in this paper to more clearly indicate that the allowable subject matter of dependent claims 12, 29 and 46 have been incorporated into each independent claims. It is respectfully submitted that the independent claims, as previously argued and as set out below, are patentable under 35 U.S.C. § 103(a) over Fong and Bernstein, and such indication is respectfully requested.

More particularly, independent claim 1 includes the limitations "receiving an instance of a second object to store in the database, wherein the second object is implemented in a second programming language" and "generating at least a second structured document representing the instance of the second object." That is, objects implemented in different programming languages are stored in the database in an intermediate format (structured documents) so that the objects can be accessed by applications written in the first and second programming languages. Only one instance of each object is stored in the database. It is respectfully submitted that Fong does not teach or suggest such limitations.

Fong discloses a user interface for processing a document encoded in a markup language format, a database information format, a file name scheme and transforming it into another markup language format, database information format or file name scheme (see *Fong*, column 1, lines 23-32). That is, Fong transforms an input document or file of one format into an output document or file of another format but does not disclose or suggest storing objects created in different programming languages in an intermediate format as required by the independent claims.

Moreover, Fong does not disclose any structure capable of “providing access to the database of objects such that application programs implemented in the first and second programming languages are capable of sharing objects represented as structured documents in the database.”

Bernstein also does not disclose such limitations. Bernstein discloses a prefetch mechanism for speeding up access to objects stored in an object oriented database by an application (see *Bernstein*, paragraph 0042). While Bernstein may generally be related to sharing of objects between applications, there is no teaching or suggestion of storing objects implemented in multiple programming languages as structured documents as required by the independent claims.

Insofar as Fong and Bernstein do not disclose all the limitations of the independent claims, it is respectfully submitted that the independent claims are patentable under 35 U.S.C. § 103(a) over Fong in view of Bernstein, and such indication is respectfully requested. The remaining rejected claims 2, 5-8, 10, 13-17, 19, 22-25, 27, 31-34, 36, 39-42, 44, 48-51, 53 and 56-59 all depend, either directly or indirectly, from one of independent claims 1, 9, 18, 26, 35, 43 and 52. Accordingly, these dependent claims are themselves patentable under 35 U.S.C. § 103(a) over Fong in view of Bernstein for at least the same reasons, and such indication is respectfully requested. This statement is made without reference to or waiving the independent bases of patentability within each dependent claim.

II. Allowable Subject Matter

The Examiner is thanked for the indication that claims 4, 21, 30, 38, 47 and 55 would be allowable if written in independent form, including all the limitations of the base claims and any intervening claims. These claims have not been amended herein to be written in independent form. For the above discussed reasons with regard to independent claims 1, 18, 26, 35, 43 and 52, from which claims 4, 21, 30, 38, 47 and 55 depend, it is believed that all claims are in form for allowance and such indication and such indication is respectfully requested. Applicant reserves the right to amend claims 4, 21, 30, 38, 47 and 55 in independent form at a later date.

III. Conclusion

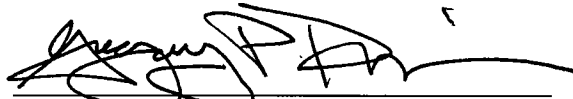
The Applicant thanks the Examiner for his thorough review of the application. The Applicant respectfully submits the present application, as amended, is in condition for allowance and respectfully requests the issuance of a Notice of Allowability as soon as practicable.

The Applicant believes no fees or petitions are due with this filing. However, should any such fees or petitions be required, please consider this a request therefor and authorization to charge Deposit Account No. 04-1415 as necessary.

If the Examiner should require any additional information or amendment, please contact the undersigned attorney.

Dated: May 3, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Gregory P. Durbin', is written over a horizontal line.

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